

DOCKET NUMBER 81

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 8 **UNITED STATES BANKRUPTCY COURT**
 9 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

10 In re:) CASE NO. 05-05926-PBINV
 11) Involuntary Chapter 7
 12 FRANCIS J. LOPEZ,) **SUGGESTION OF MOOTNESS**
 13 Alleged Debtor.)
 14) Hearing: Matters Under Submission
 15) Dept.: Four
 16) Judge: Hon. Peter W. Bowie

16 Petitioning creditor ALAN STANLY ("Stanly") respectfully suggests that the issues
 17 pending before this Court in "Petitioning Creditors' Motion for Summary Judgment (Bifurcated
 18 Phase - 1)" and the alleged-debtor's related cross-motion (the "Motions") regarding whether there
 19 are a sufficient number of petitioning creditors to support an involuntary petition under 11 U.S.C.
 20 § 303 is now moot as a result of "Richard Kipperman's Joinder in Involuntary Petition for Francis
 21 J. Lopez" (Docket Item No.80). As a result of Mr. Kipperman's joinder with Mr. Stanly and
 22 Northwest Florida Daily News, there are now three petitioning creditors, satisfying the
 23 requirements for the filing of an involuntary bankruptcy petition regardless of the number of
 24 creditors included in the "Section 303" count.

25 Dated: July 20, 2005

ROBBINS & KEEHN
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 27 By: //s// L. Scott Keehn
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